

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Appln. No.: 1/517,667

REMARKS

Interview Summary:

As indicated in the interview summary of October 19, 2006, the Examiner confirmed in a telephone conference with the undersigned that the shortened statutory period for response to the outstanding Office Action of September 25, 2006 remains three months from the mailing date of the Office Action.

Claim Amendments:

Claim 1 has been amended to incorporate therein the recitation of claim 19, to recite that the coordinating organic solvent comprises one or both of ethyl acetate and tetrahydrofuran. Claim 19 has been canceled. Entry of the Amendment at this stage of prosecution, constituting the combination of existing claims, is respectfully respected as placing the case in condition for allowance.

Response to Prior Art Rejection:

Claims 1-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,649,790 to Tatemoto.

Applicants traverse, and respectfully request the Examiner to reconsider in view of the amendment to the claims and the following remarks.

As claimed in amended claim 1, the coordinating organic solvent comprises one or both of ethyl acetate and tetrahydrofuran. In cases where a low-boiling solvent such as ethyl acetate or tetrahydrofuran is used as the coordinating organic solvent, the purification of the water-soluble fluorine-containing vinyl ether is easier than in the case of using a glyme-based solvent

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Appln. No.: 1/517,667

(See the specification, page 8, lines 15-22.). Indeed, although Example 1 using a glyme-based solvent required the addition of pure water, filtration, extraction with seven portions of chloroform, evaporation and drying to obtain the product, Examples 2 and 3 using these low-boiling solvents required only filtration and concentration (See Example 1 (page 14) vs. Examples 2 and 3 (pages 15-16) of the present specification).

Furthermore, in the method of amended claim 1, the thermal decomposition is carried out at a temperature of lower than 170°C. The method of amended claim 1 uses a low-boiling solvent comprising one or both of ethyl acetate and tetrahydrofuran, and controls the reaction temperature within a specific range so as to produce the intended compound in good yield while inhibiting the generation of by-products.

On the other hand, Tatemoto teaches that the process may use inert solvents (See column 4, lines 1-3, of Tatemoto.). However, Tatemoto does not teach or suggest the advantage of ethyl acetate and tetrahydrofuran, which are low-boiling solvents, as specified by amended claim 1.

More particularly, whereas Applicants in the present specification teach the specific effect of using a low-boiling solvent comprising one or both of ethyl acetate and tetrahydrofuran, Tatemoto neither discloses nor recognizes this characteristic feature of the invention. To the contrary, Tatemoto discloses that solvents having a boiling point of 200°C or higher are preferable (See column 4, lines 10-11, of Tatemoto).

**Specifically, solvents having a boiling point of 200°C. or
higher are preferable.**

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Appln. No.: 1/517,667

Therefore, there is nothing in the cited prior art which would lead one of ordinary skill to select a low-boiling coordinating organic solvent comprising one or both of ethyl acetate and tetrahydrofuran. To the contrary Tatemoto guides one of ordinary skill to select a higher boiling solvent.

Concerning the reaction temperature, Tatemoto discloses that in order to limit the generation of by-products, it is advantageous to complete the reaction at about 170°C or higher in a short period of time (See column 4, lines 35-37, of Tatemoto.).

However, when thermal decomposition using ethyl acetate or tetrahydrofuran is carried out at a temperature of not lower than 170°C, byproducts are formed in large amount (See the specification, page 9, lines 22-24). For this additional reason, a person of ordinary skill in the art would not have arrived at the method of amended claim 1 based on Tatemoto. For the same reasons, it is respectfully submitted that claims 2-18 are also patentable over Tatemoto, and withdrawal of the foregoing rejection under 35 U.S.C. § 103(a) is respectfully requested.

Withdrawal of all rejections and allowance of claims 1-18 is earnestly solicited.

In the event that the Examiner believes that it may be helpful to advance the prosecution of this application, the Examiner is invited to contact the undersigned at the local Washington, D.C. telephone number indicated below.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Appln. No.: 1/517,667

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Respectfully submitted,



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